

REMARKS

In the Office action of April 28, 2009, the Examiner objected to the Specification and Tables for certain informalities. It is believed that with the present amendments the informalities have been corrected.

The Examiner kindly pointed out that Table 1 and Figures 2A and 2B lacked sequence identifiers. The sequence identifiers have been introduced with the present amendments. Claims 1-15 stand rejected under 35 USC 112, first paragraph, for being indefinite with respect to the term “over-attenuated.” Applicants have now included the definition of “over-attenuated” as set forth in the Specification with the amendment to claim 1.

Claims 9 and 10 stand rejected under 35 USC 112, second paragraph for being indefinite for using the term “derived.” The term “derived” has now been deleted.

The Examiner has questioned whether the “virus or micro-organism pathogenic to poultry” includes the over-attenuated strain of the invention. It is believed that the term “additional antigen” indicates that it does not.

The Examiner has objected that claim 1 and claim 14 are substantial duplicates of each other.

The objection to claim 1 and claim 14 being equivalent is respectfully traversed. It is believed that the limitations in the two claims are not identical, even with the present amendment to claim 14 deleting the term “optionally.”

In view of the above, it is believed that claims 1-15 are in condition for allowance. Favorable action is solicited.

Applicants do not believe that any other fee is due in connection with this filing. If, however, Applicants do owe any such fee(s), the Commissioner is hereby authorized to charge the fee(s) to Deposit Account No. **02-2334**. In addition, if there is ever any other fee deficiency or overpayment under 37 C.F.R. §1.16 or 1.17 in connection with this patent application, the Commissioner is hereby authorized to charge such deficiency or overpayment to Deposit Account No. **02-2334**.

Attorney Docket: -2003.025 US
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Amendment in response to OA of April 28, 2009

The Examiner is invited to call the Undersigned if any issues arise that can be addressed over the phone to expedite examination of this application.

Respectfully submitted,

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